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NOTICE OF ALLOWANCE AND ISSUE FEE DUE

18N2/0702

SPENCER, FRANK & SCHNEIDER
SUITE 300 EAST
1100 NEW YORK AVENUE, NW
WASHINGTON DC 20005-3955

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/302,241	09/08/94	012	GUZO, D	1805 07/02/97
First Named Applicant	WILSON, RICHARD H.			

TITLE OF INVENTION: RECOMBINANT DNA SEQUENCES, VECTORS CONTAINING THEM AND METHOD FOR THE USE THEREOF

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEES DUE	DATE DUE
CARPR0022C2	435-320.100	088	UTILITY	NO	\$1290.00	10/02/97

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as NO:
If the SMALL ENTITY is shown as yes, verify your current SMALL ENTITY status:
 - A. If the status is changed, pay twice the amount of the FEE DUE shown and notify the Patent and Trademark Office of the change in status, or
 - B. If the status is the same, pay the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "6b" of Part B should be completed.
- III. All communications regarding this application must give application number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/302,241 09/08/94 WILSON

R CARP0022C2
EXAMINER

18N2/0702
SPENCER, FRANK & SCHNEIDER
SUITE 300 EAST
1100 NEW YORK AVENUE, NW
WASHINGTON DC 20005-3955

ATTN: D PAPER NUMBER
37
DATE MAILED: 1805

07/02/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

NOTICE OF ALLOWABILITY

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to the Amendment filed 6/17/97 and the Terminal Disclaimer filed 6/25/97

The allowed claim(s) is/are 51-55, 60-63 and 79-81

The drawings filed on _____ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) 02/117,071

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received:

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 4.

including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s); PTO-1449 (Paper No(s) _____)

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

Interview Summary, PTO-413 (2)

Examiner's Amendment/Comment

Examiner's Comment Regarding Requirement for Deposit of Biological Material

Statement of Reasons for Allowance

Serial Number: 08/302,241

Art Unit: 1805

#37K
-2-
JW
M/2/97

1. An extension of time under 37 C.F.R. § 1.136(a) is required in order to make an Examiner's Amendment which places this application in condition for allowance. During a telephone conversation conducted on 7/1/97, John W. Schneller requested an extension of time for ONE month and authorized the Commissioner to charge Deposit Account No. 19-3700 the required fee of \$110.00 for this extension and authorized the following Examiner's Amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

In the **Specification**:

On Page 12, between lines 17 and line 18, insert:

--> Brief Description of the Drawings

An abstract appears on the following page. Please insert the following page as page 42 in the specification.

07/07/1997 LCHALMER 00000087 DAH:193700 08302241
01 FC:115 110.00 CH

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Serial Number: 08/302,241

-4-

Art Unit: 1805

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Guzo whose telephone number is (703) 308-1906. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Elliott, can be reached on (703) 308-4003. The fax phone number for this Group is (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

David Guzo
July 1, 1997

David Guzo
DAVID GUZO
PRIMARY EXAMINER
GROUP 1800

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